



# *The Insider*

[www.senate.michigan.gov/dem/switalski](http://www.senate.michigan.gov/dem/switalski)

## **Inside State Politics with State Senator “Mickey” Switalski Senate District 10**

Welcome to the electronic version of *The Insider*. Happy Holidays to you and yours. As we approach the end of the current year and the beginning of the new one, there are many things that have been accomplished this year by the legislature and many things that still need to be accomplished. While many people will be pondering during their Thanksgiving feasts whether the Detroit Lions stand a chance against the Green Bay Packers and how to cram that extra piece of turkey into their already filled bellies, the members of the Legislature will be feasting on numbers and proposals in an effort to balance the state's budget shortfall of \$900 million. A bi-partisan effort will be required to overcome this shortfall. It is my hope that this bi-weekly e-mail will keep you informed of the happenings in Lansing, while keeping true to the traditional style of *The Insider*. If you would like to contact me, please e-mail me at [senmswitalski@senate.michigan.gov](mailto:senmswitalski@senate.michigan.gov) or contact me at my Roseville or Lansing office.

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### **Legislative Update**

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#### **Switalski Co-sponsors Legislation to Curb Identity Theft**

The issue of identity fraud has been an ever increasing problem, especially with the holiday season around the corner. The Legislature has been hard at work in an effort to solve the problem.

State Senator Michael Switalski (D-Roseville) is a co-sponsor of a package of several bills (Senate Bills 792, SB 793, SB 794, SB 797, and SB 798) that would create an Identity Theft Protection Act (creating stiffer penalties for identity fraud), prohibit victims of identity theft from being denied credit, and make it easier for a victim to reestablish their credit line after the fraud. Law enforcement agencies will also have an improved ability to target those that commit identity theft as a result.

The bills passed the Senate Judiciary Committee and should be put to a vote in the Senate some time in December.

Some estimates report that more than 210,000 people were victims of identity fraud this year, well over the 2001 mark of 86,198. These figures do not take into consideration those that do not report identity fraud.

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#### **Tool to Create and Retain Jobs Passes Senate**

With the unemployment rate reaching 7.6 percent in Michigan for the month of October, the Senate took a step earlier this month by unanimously extending the Michigan Economic Growth Authority (MEGA) Single Business Tax to December 31, 2009 and providing additional oversight tools.

MEGA is an agency that is designated as a tool that could make Michigan more competitive with other states in attracting new businesses to the state and helping existing businesses in the state to expand their operations. By bringing in new businesses and helping current businesses in the state by providing tax credits would create the job growth that is needed in the state.

The package of bills that passed the Senate would also require the Michigan Department of Treasury to audit businesses that receive a MEGA tax credit to verify that the jobs created or retained match the numbers used in MEGA's calculations for the tax credit.

The package of bills now heads to the House for action.

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## **Michigan faces Budget Shortfall**

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### **Legislature Working to Solve Budget Problems**

With the state of Michigan facing a budget shortfall of about \$900 million, the legislature has been working hard with trying to find solutions to solve the problem.

The state received more bad fiscal news this month. The state's unemployment rate reached 7.6 percent in October and the Moody's credit report downgraded the state's bond rating.

There have been many proposals, but one thing that Governor Granholm has said is that no taxes will be raised. To raise taxes, she argues, would make the state less competitive in attracting new businesses and keeping existing businesses in the state.

My fellow legislators and I will be working hard to solve the budget shortfall by the beginning of the holiday recess on December 18. Negotiations have been taking place since the budget shortfall was first identified; Governor Granholm has plans to create an executive order in early December for budget cuts to make sure the budget is balanced. Things that were saved from the budget cuts last round could be cut this time in this round. I will do my best to keep you informed of the budget situation as new situations arise as the legislature works for a solution that is as fair as possible under the circumstances.

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## **Mickey's Corner**

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### **Switalski Responds to MIP Editorial**

I was disappointed by the *Macomb Daily* editorial (November 19, 2003) supporting a bill increasing penalties for Minors in Possession of Alcohol (MIP). SB 637 provides for jail time for MIPs and also waters down the meaning of the word "possession." The *Daily's* support for the bill is apparently based on the belief that it would crack down on drinking drivers.

It does not.

The legislature did indeed pass a law last month lowering the blood alcohol level from .10 to .08, thereby cracking down on drunk drivers. I and the vast majority of legislators supported that change. Drunk driving is a serious crime that costs innocent lives and merits tough penalties in Michigan law. But this month's Minor in Possession (MIP) bill has nothing to do with drunk drivers. They are not affected in any way by this bill. In fact, although the *Daily* editorial cited drinking drivers nine times,

they were never even mentioned during the Senate debate. The bill is really about minors who are *not driving*.

Besides, Michigan just “cracked down” on Minors in Possession three years ago by upping the fines and penalties. And it’s working. The State Court Administrator’s office reports that MIP convictions have dropped nearly a 1,000 a year over the past three years. But apparently that’s not enough.

We want jail time.

What is it that has made us so desperate?

The Michigan Court of Appeals issued a decision last year that said it was not a crime for a minor to drink legally in Canada and come home to Michigan as a passenger. Most of us who are honest about our own youth might agree with the court and question whether drinking in Canada deserves jail.

Furthermore, lots of college kids and some high schoolers have snuck into the basement and taken a swig of beer before they are 21. Do we need to jail these kids?

The new MIP law will have the effect of turning these kids into criminals. The .02 limit is so low it’s practically a trace element. It could catch kids who use mouthwash, cough syrup, take a slug of wine at Holy Communion, eat rum raisin ice cream or two of Grandma’s vanilla flavored cookies.

For this we are now prepared to brand our own children as criminals, categorize them as substance abusers, compel them to undergo therapy, put them on probation for a year, charge them thousands of dollars for these privileges, scar them with a criminal record that may limit their aspirations for the rest of their lives, and ultimately put them in jail.

Because a kid celebrates his 19<sup>th</sup> birthday while home on leave from the War in Iraq by going to Canada with his dad and having a beer.

Kids know when they are being misused as part of someone’s “get tough” agenda. Does a college sophomore at a campus party really need a year of counseling and monthly visits to his probation officer? Do kids in the basement at a New Year’s Eve Party need to perform 100 hours of community service, extensive rehab and undergo substance abuse screening? Will this make them respect the law, obey their elders and believe in the values of our society?

No. It will do exactly the opposite.

Have we lost all perspective?

Underage drinking is a problem. Good policy would manage this problem within acceptable limits. This draconian law based on zero tolerance sets decent kids up to become criminals.

The *Daily* reports that the Macomb County Jail is full. When we hit seven straight days over capacity, the Chief Judge has to let someone out. He’ll have to let more out if we have to make room for kids who have trace amounts of alcohol in their systems.

Is that how we want our kids treated and our jails run?

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## Coffee Hours

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Please stop by and talk with me during these times. I appreciate your comments and views on important issues.

\*Please note that since the District Office is in Roseville I will not have very many coffee hours in that area. I encourage you to visit the Roseville office.

### **Sterling Heights/Utica**

**December 1**

**7-9 P.M.**

Location: Sterling Heights Library  
(Utica and Dodge Park roads)

### **Clinton Township**

**November 24**

**7-9 P.M.**

Location: Clinton Township Library  
(35891 Gratiot and 15 mile)

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## Contact My Office

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